

### **R E M A R K S**

Careful review and examination of the subject application are noted and appreciated.

### **PRIORITY**

Applicant's representative takes notice of the issue regarding priority. Applicant's representative will respond in more detail in the next response.

### **CLAIM REJECTIONS UNDER 35 U.S.C. §103**

The rejection of claims 48, 51, 52, 55-60, 62, 75-79, 81-84, and 96-115 under 35 U.S.C. §103(a) as being unpatentable over Brown '263 in view of Fletcher et al. '257 (hereafter Fletcher) and Fu et al. '625 (hereafter Fu) has been noted by Applicant's representative.

The rejection of claims 48, 50-52, 54-58, 60, 62, 64, 65, 67-73, 81-82, 84, 96, 100, 104, 108 and 112 under 35 U.S.C. §103(a) as being unpatentable over Beckers '974 in view of Brown and Fletcher has been noted by Applicant's representative.

The rejection of claims 97, 101, 105, 109 and 113 under 35 U.S.C. §103(a) as being unpatentable over Beckers in view of Brown and Fletcher, and in further view of Fu has been noted by Applicant's representative.

The rejection of claims 99, 103, 107, 111 and 115 under 35 U.S.C. §103(a) as being unpatentable over Beckers in view of Brown and Fletcher, and in further view of Fu has been noted by Applicant's representative.

The rejection of claim 61 and 74 under 35 U.S.C. §103(a) as being unpatentable over Beckers in view of Brown and Fletcher, and further in view of Hutchens (The News Tribune, June 25, 1994) has been noted by Applicant's representative.

The rejection of claim 61 under 35 U.S.C. §103(a) as being unpatentable over Brown in view of Fletcher and Fu, and further in view of Hutchens has been noted by Applicant's representative.

The rejection of claim 77 under 35 U.S.C. §103(a) as being unpatentable over Brown in view of Fletcher and Fu, and further in view of Hutchens has been noted by Applicant's representative.

The rejection of claims 78 and 83 under 35 U.S.C. §103(a) as being unpatentable over Brown in view of Fletcher and Fu, and further in view of Hutchens and Nunziata ("Billboard", October 31, 1992) has been noted by Applicant's representative.

Applicant's representative does not believe each of the elements of the pending claims have been met by the references. However, additional art references have been brought to the attention of Applicant's representative. The additional art

references will be cited in an Information Disclosure Statement filed subsequent to this response. Applicant's representative requests that the Examiner review the newly cited references and indicate whether the outstanding rejections need to be updated.

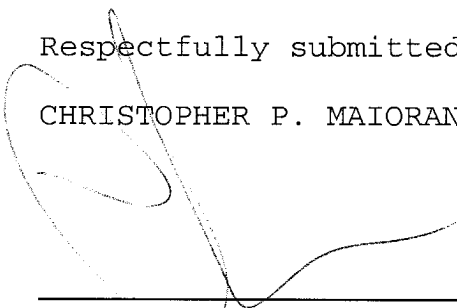
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicant's representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit Account No. 50-0541.

Respectfully submitted,

CHRISTOPHER P. MAIORANA, P.C.



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c/o Sandeep Jaggi  
Health Hero Network

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